



Substitute Form PTO-1449 (Modified)		U.S. Department of Commerce Patent and Trademark Office	Attorney's Docket No. 17103-003001 / 1457	Application No. 09/942,959
<b>List of Patents and Publications for Applicant's Information Disclosure Statement</b>  (37 CFR §1.98(b))		Applicant Robert S. Osbakken et al.		
		Filing Date August 31, 2001	Group Art Unit 1614	

U.S. Patent Documents							
Examiner Initial	Desig. ID	Document Number	Publication Date	Patentee	Class	Subclass	Filing Date If Appropriate
	A	2002/0061281	05/23/02	Osbakken et al.	424	43	08/31/01
	B	2002/0102294	08/01/02	Bosch et al.	424	450	11/12/98
	C	2002/0197212	12/26/02	Osbakken	424	45	07/09/02
	D	2003/0031631	02/13/03 A1	Osbakken	424	45	08/28/02
	E	4,438,100	03/20/84	Baslev et al.	424	104	12/28/81
	F	5,789,391	08/04/98	Jacobus et al.	514	51	07/03/96
	G	5,883,084	03/16/99	Peterson et al.	514	78	06/08/98
	H	5,958,897	09/28/99	Jacobus et al.	514	49	01/09/98
	I	5,972,904	10/26/99	Jacobus et al.	514	51	01/09/98
	J	5,981,506	11/09/99	Jacobus et al.	514	47	01/09/98

Foreign Patent Documents or Published Foreign Patent Applications							
Examiner Initial	Desig. ID	Document Number	Publication Date	Country or Patent Office	Class	Subclass	Translation Yes No
	K	03/020219	03/13/03 A2	PCT			

Other Documents (include Author, Title, Date, and Place of Publication)		
Examiner Initial	Desig. ID	Document
	L	Guevara et al., "[The Ambulatory Aerosol Therapy in the Treatment of Chronic ENT Pathology," <i>Anales O.R.L. Iber. Amer.</i> XVIII, 3:231 – 238 (1991) (In Spanish, English summary on last page of article)
	M	Kondo et al., "Transitional Concentration of Antibacterial Agent to the Maxillary Sinus via a Nebulizer," <i>Acta Otolaryngol. Suppl.</i> 525:64-67 (1996)
	N	Negley et al., "RinoFlow™ Nasal Wash and Sinus System as a mechanism to deliver medications to the paranasal sinuses: Results of a radiolabeled pilot study," <i>ENT Journal</i> , 78(8):550-554 (1999)
	O	O'Riordan et al., "Effect of Nebulizer Configuration on Delivery of Aerosolized Tobramycin," <i>Journal of Aerosol Medicine</i> 20(1):13-23 (1997)
	P	Press Release "SinusPharma Forms Strategic Partnership with Priority Healthcare Corporation; Innovative Chronic Sinusitis Therapy Takes Center Stage" (September 18, 2003) <a href="http://www.sinuspharmacy.com/news_sinusprioritypartnership.html">http://www.sinuspharmacy.com/news_sinusprioritypartnership.html</a> [accessed on 09/08/04]
	Q	Press Release "Scripps Memorial Hospital's Chief of Otolaryngology Develops Usage Algorithm for Intranasal Nebulized Medications for Chronic Sinusitis" (February 12, 2003) <a href="http://www.sinuspharmacy.com/presswahl.html">http://www.sinuspharmacy.com/presswahl.html</a> [accessed on 09/08/04]

Examiner Signature	Date Considered
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**Other Documents (include Author, Title, Date, and Place of Publication)**

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	R	Press Release "SinusPharmacy Adds Nasal Irrigation Option to SinuNEB System" (September 18, 2002) <a href="http://www.sinuspharmacy.com/pressirrigator.html">http://www.sinuspharmacy.com/pressirrigator.html</a> [accessed on 09/08/04]
	S	Press Release "Patent for Sinusitis Treatment Awarded to SinusPharma" (June 11, 2003) <a href="http://www.sinuspharma.com/investors/releases/sinuspharma-patent.html">http://www.sinuspharma.com/investors/releases/sinuspharma-patent.html</a> [accessed on 09/08/04]
	T	Press Release "Study Finds Nebulized Antibiotics Effective Against Chronic Sinusitis" (September 17, 2002) <a href="http://www.sinuspharmacy.com/pressnebulizedsinusitis.html">http://www.sinuspharmacy.com/pressnebulizedsinusitis.html</a> [accessed on 09/08/04]
	U	Press Release "SinusPharmacy Announces Breakthrough in Treating Chronic Sinusitis" (September 25, 2000) <a href="http://www.sinuspharmacy.com/press001.html">http://www.sinuspharmacy.com/press001.html</a> [accessed on 09/08/04]
	V	<i>Stedman's Medical Dictionary</i> , 27 <sup>th</sup> Ed. P. 1644 (1999), Lippincott Williams & Wilkins, Baltimore MD
	W	Yokota <i>et al.</i> , "[Antibacterial Activities of Cefmenoxime against recent fresh clinical isolates from patients of sinusitis]," <i>Japanese Journal of Antibiotics</i> :48(5):602-609 (1995) (In Japanese, English abstract on last page of article)

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**U.S. Patent Documents**

Examiner Initial	Desig. ID	Document Number	Publication Date	Patentee	Class	Subclass	Filing Date If Appropriate
	AA	2001/0002400	05/31/01	Ponikau	514	393	10/22/88
	AB	2001/0006944	07/05/01	Ponikau	514	31	10/22/98
	AC	2001/0031779	10/18/01	Ponikau	514	393	05/25/01
	AD	2002/0052390	05/02/02	Ponikau	514	310	10/22/98
	AE	5,004,611	04/02/91	Leigh	424	450	03/21/88
	AF	5,397,771	03/14/95	Bechgaard et al.	514	2	09/10/93
	AG	5,428,006	06/27/95	Bechgaard et al.	514	3	11/15/93
	AH	5,693,608	12/02/97	Bechgaard et al.	514	2	02/28/95
	AI	5,843,881	12/01/98	Dubois et al.	512	1	02/13/97
	AJ	6,126,930	10/03/00	Dubois et al.	424	73	02/13/97
	AK	6,143,329	11/07/00	Kim	424	489	05/20/99
	AL	6,207,703	03/27/01	Ponikau	514	460	10/22/98
	AM	6,274,634	08/14/01	Yasueda et al.	514	781	08/14/01
	AN	6,375,984	04/23/02	Kan	424	489	04/28/00
	AO	6,395,300	05/28/02	Straub et al.	424	489	11/04/99
	AP	6,395,746	05/28/02	Cagle et al.	514	300	09/22/00

**Foreign Patent Documents or Published Foreign Patent Applications**

Examiner Initial	Desig. ID	Document Number	Publication Date	Country or Patent Office	Class	Subclass	Translation <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
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**Other Documents (include Author, Title, Date, and Place of Publication)**

Examiner Initial	Desig. ID	Document
	AQ	Suman et al., "Comparison of Nasal Deposition and Clearance of Aerosol Generated by a Nebulizer and an Aqueous Spray Pump," Pharmaceutical Research 16(10):1648-1652 (1999)
	AR	Vaughan et al., "Use of nebulized antibiotics for acute infections in chronic sinusitis," Otolaryngol Head Neck Surg 127:558-568 (2002)

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	AA	4,693,999	09/15/87	Axelsson et al.	514	174	06/03/85
	AB	4,917,951	04/17/90	Wallach	428	402.2	11/24/87
	AC	4,944,949	07/31/90	Story et al.	424	451	12/17/87
	AD	4,950,477	08/21/90	Schmitt et al.	424	43	08/23/88
	AE	5,925,334	07/20/99	Rubin et al.	424	45	08/27/97
	AF	5,976,573	11/02/99	Kim	424	489	07/03/96

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							Yes	No
	AG	0 267 050	05/11/88	EP, A1				
	AH	0 267 050	09/14/94	EP, B1				

### Other Documents (include Author, Title, Date, and Place of Publication)

Examiner Initial	Desig. ID	Document
	AI	Allen et al., "Effect of Surfactant on Tetracycline Absorption across Everted Rat Intestine," Journal of Pharmaceutical Sciences 70(3): 269-271 (1981)
	AJ	Amidon et al., "Theoretical and Experimental Studies of Transport of Micelle-Solubilized Solutes," Journal of Pharmaceutical Sciences 71(1): 77-84 (1982)
	AK	Atwood et al., "Solubilization of Indomethacin by Polysorbate 80 in Mixed Water-Sorbitol Solvents," J. Pharm. Pharmacol. 41: 83-86 (1989)
	AL	Florence et al., "Non-ionic surfactants and membrane transport of thioridazine in goldfish," J. Pharm. Pharmac. 27: 152-159 (1975)
	AM	Kimura et al., "Effect of synthetic surfactants on drug absorption in the presence of a physiologic surfactant, sodium taurocholate, in rats," J. Pharmacobi-Dyn. 8: 661-668 (1985)
	AN	Pontiroli et al., "Human insulin plus sodium glycocholate in a nasal spray formulation: improved bioavailability and effectiveness in normal subjects," Diabète & Métabolisme (Paris) 13: 441-443 (1987)
	AO	Salzman et al., "Intranasal Aerosolized Insulin," The New England Journal of Medicine 312: 1078-1084 (1985)
	AP	Smith et al., "Safety of Aerosol Tobramycin Administration for 3 Months to Patients With Cystic Fibrosis," Pediatric Pulmonology 7: 265-271 (1989)

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